

Members

Sen. Marvin Riegsecker, Chairperson  
Sen. Becky Skillman  
Sen. Rose Antich-Carr  
Sen. Timothy Skinner  
Rep. Peggy Welch, Vice-Chairperson  
Rep. Tiny Adams  
Rep. Thomas Saunders  
Rep. Matthew Whetstone  
Rep. Alan Chowning  
Thomas Rethlake  
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Vern Jewell  
Doug Lechner  
Raymond Lueken  
Garland Ferrell  
Kelly Thompson  
John Rooda  
Mark Catanzarite  
Bill Mansard  
David Niezgodski  
The Honorable Al Dillon  
Lana Sullivan



## COUNTY GOVERNMENT STUDY COMMISSION

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Authority: P.L. 28-2001 (HEA 1629)

### MEETING MINUTES<sup>1</sup>

Meeting Date: October 28, 2003  
Meeting Time: 10:30 A.M.  
Meeting Place: State House, 200 W. Washington  
St., Room 125  
Meeting City: Indianapolis, Indiana  
Meeting Number: 4

**Members Present:** Sen. Marvin Riegsecker, Chairperson; Thomas Rethlake; Vern Jewell; Garland Ferrell; Kelly Thompson; John Rooda; Mark Catanzarite; The Honorable Al Dillon; Lana Sullivan.

**Members Absent:** Sen. Becky Skillman; Sen. Rose Antich-Carr; Sen. Timothy Skinner; Rep. Peggy Welch, Vice-Chairperson; Rep. Tiny Adams; Rep. Thomas Saunders; Rep. Matthew Whetstone; Rep. Alan Chowning; Oatess Archey; Doug Lechner; Raymond

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<sup>1</sup> Exhibits and other materials referenced in these minutes can be inspected and copied in the Legislative Information Center in Room 230 of the State House in Indianapolis, Indiana. Requests for copies may be mailed to the Legislative Information Center, Legislative Services Agency, 200 West Washington Street, Indianapolis, IN 46204-2789. A fee of \$0.15 per page and mailing costs will be charged for copies. These minutes are also available on the Internet at the General Assembly homepage. The URL address of the General Assembly homepage is <http://www.ai.org/legislative/>. No fee is charged for viewing, downloading, or printing minutes from the Internet.

**Lueken; Bill Mansard; David Niezgodski.**

Senator Riegsecker, the Chairman, called the meeting to order at 10:54 a.m. The Chairman announced that due to a lack of a quorum, the Commission would not be voting on recommendations or a final report. He stated that testimony would be heard concerning septic system rules and the 1999 COMPETE report.

### **1. Septic System Rules**

The Chairman informed the members of the Commission that the Governor has become interested in the implementation of the Indiana Department of Health's proposed septic rules, and that the Chairman desired comments for the record from interested parties.

Mr. Zach Cattell of the Indiana Department of Health informed the Commission that a final draft of the proposed septic system rules will be presented to the Department's executive board at the end of the year for final adoption. He stated that the Department intends to delay for an indefinite time implementation of the portion of the proposed rules that requires certain septic system technologies in order to attain groundwater nitrate standards. The delay will allow for improvements in technology. He told the Commission that the Department plans to use public forums in future years to perform cost/benefit analyses prior to implementing any additional rules on this subject.

The Chairman asked Mr. Cattell who would determine when the technology would be feasible. Mr. Cattell stated that the expertise of Purdue University, with additional input from other sources, could be used to perform a cost/benefit analysis. The decision would not be a unilateral one on the part of the Department.

Ms. Tonya Galbraith of the Indiana Department of Environmental Management informed the Commission that the various agencies and the Governor's office are working together on this issue, and that IDEM agrees with the course proposed by the Department of Health.

Mr. Steve Boyce of the Indiana Builders Association stated that his organization will work with the Governor and the Department of Health on this issue. He stressed his organization's concern with the impact that septic system rules could have on housing costs to the public.

Senator Riegsecker closed this portion of the testimony by stating that he intended to draft a letter conveying a summary of the testimony that the Commission has heard on this issue to the Governor. He stressed to the Commission that he was doing this as an individual Senator, and that the letter would not be presented to the Governor as an official act of the Commission.

### **2. COMPETE Report**

The Chairman asked Mr. David Bottorff of the Association of Indiana Counties to discuss the 1999 COMPETE (Coalition On Monitoring Public Efficiency and Tax Expenditures) Report (Exhibit A).

Prior to discussing the report, Mr. Bottorff informed the Commission that a joint resolution containing proposed amendments to the Indiana Constitution addressing holdover offices has been approved by the Legislature during the past two sessions and will appear on the ballot at the 2004 general election. It appears likely that a bill to specify the ballot language with respect to this proposal will be presented in the upcoming session. He stated that this

proposal originated as a result of the Commission's work in prior years.

Mr. Bottorff discussed the history of the report. He noted that fiscal constraints on local governments have increased since the COMPETE report was completed, and that interlocal cooperation has increased to address this, especially in the area of public safety. He stated that his organization had concerns on several of the recommendations of the report dealing with tax distributions and taxation for police and sheriffs' services. He informed the Commission that there is a need for reorganization of the property tax assessment system and presented various options to the Commission.

The Commission discussed recent problems created by the assessment system and the difficulties present in streamlining the system. In addition, the Commission discussed problems created by delayed appointments to the Commission, noted some areas of success by county governments, and observed that a reorganization of the assessing system would be a worthy task for any successor to the Commission.

The Chairman then recognized Ms. Cheryl Musgrave, Vanderburgh County Assessor. She stated that she was speaking for herself, not for the Indiana County Assessors Association. She informed the Commission that studies of the assessing system over the past fifty years have consistently recommended increased centralization of the assessing system. She told the members about local problems created by conflicts between county and township assessors and suggested that the resolution of some appeals at the township level was having the effect of reversing recent assessment policies set in place by the Legislature. She discussed with the Commission the sources of the problems and conflicts. She stated that a total redesign of the assessment system is warranted.

There being no further testimony, Sen. Riegsecker thanked the members for their work for the Commission, and informed the members that he hoped to continue dialogue with the other legislators who have served on the Commission in regards to the issues that were discussed during this Interim.

The meeting was adjourned at 11:52 p.m.